

AN ACT

relating to suits affecting the parent-child relationship, including proceedings for the establishment, modification, and enforcement of child support, parentage, and possession of and access to a child; providing a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 101, Family Code, is amended by adding Section 101.0255 to read as follows:

Sec. 101.0255. RECORD. "Record" means information that is:

(1) inscribed on a tangible medium or stored in an electronic or other medium; and

(2) retrievable in a perceivable form.

SECTION 2. Subsection (d), Section 102.009, Family Code, is amended to read as follows:

(d) If the petition requests the establishment, termination, modification, or enforcement of a support right assigned to the Title IV-D agency under Chapter 231 or the rescission of a voluntary acknowledgment of paternity under Chapter 160, notice shall be given to the Title IV-D agency in a manner provided by Rule 21a, Texas Rules of Civil Procedure.

SECTION 3. Subsection (g), Section 105.006, Family Code, is amended to read as follows:

(g) The Title IV-D agency shall promulgate and provide forms for a party to use in reporting to the court and ~~when established,~~

1 ~~to~~] the state case registry under Chapter 234 the information
2 required under this section.

3 SECTION 4. Section 108.001, Family Code, is amended by
4 amending Subsection (a) and adding Subsection (d) to read as
5 follows:

6 (a) Except as provided by this chapter, the clerk of the
7 court shall transmit to the bureau of vital statistics a certified
8 record of the order rendered in a suit, together with the name and
9 all prior names, birth date, and place of birth of the child
10 ~~[prepared by the petitioner]~~ on a form provided by the bureau. The
11 form shall be completed by the petitioner and submitted to the clerk
12 at the time the order is filed for record.

13 (d) In a Title IV-D case, the Title IV-D agency may transmit
14 the record and information specified by Subsection (a) to the
15 bureau of vital statistics, with a copy to the clerk of the court on
16 request by the clerk. The record and information are not required
17 to be certified if transmitted by the Title IV-D agency under this
18 subsection.

19 SECTION 5. Section 108.004, Family Code, is amended to read
20 as follows:

21 Sec. 108.004. TRANSMITTAL OF FILES ON LOSS OF JURISDICTION.
22 On the loss of jurisdiction of a court under Chapter 155, 159, or
23 262, the clerk of the court shall transmit to the central registry
24 of the bureau of vital statistics a certified record, on a form
25 provided by the bureau, stating that jurisdiction has been lost,
26 the reason for the loss of jurisdiction, and the name and all
27 previous names, date of birth, and place of birth of the child.

1 SECTION 6. Subsection (b), Section 151.001, Family Code, is
2 amended to read as follows:

3 (b) The duty of a parent to support his or her child exists
4 while the child is an unemancipated minor and continues as long as
5 the child is fully enrolled in a [an accredited] secondary school in
6 a program leading toward a high school diploma and complies with
7 attendance requirements described by Section 154.002(a)(2) [until
8 the end of the school year in which the child graduates].

9 SECTION 7. Subchapter A, Chapter 153, Family Code, is
10 amended by adding Section 153.015 to read as follows:

11 Sec. 153.015. ELECTRONIC COMMUNICATION WITH CHILD BY
12 CONSERVATOR. (a) In this section, "electronic communication"
13 means any communication facilitated by the use of any wired or
14 wireless technology via the Internet or any other electronic media.
15 The term includes communication facilitated by the use of a
16 telephone, electronic mail, instant messaging, videoconferencing,
17 or webcam.

18 (b) If a conservator of a child requests the court to order
19 periods of electronic communication with the child under this
20 section, the court may award the conservator reasonable periods of
21 electronic communication with the child to supplement the
22 conservator's periods of possession of the child. In determining
23 whether to award electronic communication, the court shall
24 consider:

25 (1) whether electronic communication is in the best
26 interest of the child;

27 (2) whether equipment necessary to facilitate the

1 electronic communication is reasonably available to all parties
2 subject to the order; and

3 (3) any other factor the court considers appropriate.

4 (c) If a court awards a conservator periods of electronic
5 communication with a child under this section, each conservator
6 subject to the court's order shall:

7 (1) provide the other conservator with the e-mail
8 address and other electronic communication access information of
9 the child;

10 (2) notify the other conservator of any change in the
11 e-mail address or other electronic communication access
12 information not later than 24 hours after the date the change takes
13 effect; and

14 (3) if necessary equipment is reasonably available,
15 accommodate electronic communication with the child, with the same
16 privacy, respect, and dignity accorded all other forms of access,
17 at a reasonable time and for a reasonable duration subject to any
18 limitation provided by the court in the court's order.

19 (d) The court may not consider the availability of
20 electronic communication as a factor in determining child support.
21 The availability of electronic communication under this section is
22 not intended as a substitute for physical possession of or access to
23 the child where otherwise appropriate.

24 (e) In a suit in which the court's order contains provisions
25 related to a finding of family violence in the suit, including
26 supervised visitation, the court may award periods of electronic
27 communication under this section only if:

1 (1) the award and terms of the award are mutually
2 agreed to by the parties; and

3 (2) the terms of the award:

4 (A) are printed in the court's order in
5 boldfaced, capitalized type; and

6 (B) include any specific restrictions relating
7 to family violence or supervised visitation, as applicable,
8 required by other law to be included in a possession or access
9 order.

10 SECTION 8. Section 153.3161, Family Code, is amended to
11 read as follows:

12 Sec. 153.3161. [~~LIMITED~~] POSSESSION DURING MILITARY
13 DEPLOYMENT. (a) In this section, "military deployment" means
14 military duty ordered for a period of more than six months during
15 which the person ordered to duty:

16 (1) is not provided the option of being accompanied by
17 the person's child; and

18 (2) is serving in a location where access to the
19 person's child is not reasonably possible.

20 (b) In addition to the general terms and conditions of
21 possession required by Section 153.316, if a possessory conservator
22 or a joint managing conservator of the child without the exclusive
23 right to designate the primary residence of the child is currently a
24 member of the armed forces of the state or the United States or is
25 reasonably expected to join those forces, the court shall:

26 (1) permit that conservator to designate a person who
27 may exercise [~~limited~~] possession of the child on behalf of that

1 conservator during any period that the conservator is deployed
2 under a military deployment [~~outside of the United States~~]; and

3 (2) if the conservator elects to designate a person
4 under Subdivision (1), provide in the order for [~~limited~~]
5 possession of the child by the designated person under those
6 circumstances, subject to the court's determination that the
7 [~~limited~~] possession is in the best interest of the child.

8 (c) [~~(b)~~] If the court determines that the [~~limited~~]
9 possession is in the best interest of the child, the court shall
10 provide in the order that during periods of military deployment:

11 (1) the designated person has the right to possession
12 of the child for the periods and in the manner in which the deployed
13 conservator would be entitled to exercise possession if not
14 deployed [~~on the first weekend of each month beginning at 6 p.m. on~~
15 ~~Friday and ending at 6 p.m. on Sunday~~];

16 (2) [~~the other parent shall surrender the child to the~~
17 ~~designated person at the beginning of each period of possession at~~
18 ~~the other parent's residence,~~

19 [~~(3) the designated person shall return the child to~~
20 ~~the other parent's residence at the end of each period of~~
21 ~~possession,~~

22 [~~(4)~~] the child's other parent and the designated
23 person are subject to the requirements of Section 153.316, with the
24 designated person considered for purposes of that section to be the
25 possessory conservator [~~Sections 153.316(5)-(9)~~];

26 (3) [~~(5)~~] the designated person has the rights and
27 duties of a nonparent possessory conservator under Section

1 153.376(a) during the period that the person has possession of the
2 child; and

3 (4) [~~(6)~~] the designated person is subject to any
4 provision in a court order restricting or prohibiting access to the
5 child by any specified individual.

6 (d) [~~(e)~~] After the military deployment is concluded, and
7 the deployed parent returns to that parent's usual residence, the
8 designated person's right to [~~limited~~] possession under this
9 section terminates and the rights of all affected parties are
10 governed by the terms of any court order applicable when a parent is
11 not deployed.

12 SECTION 9. (a) Subsection (a), Section 154.006, Family
13 Code, is amended to read as follows:

14 (a) Unless otherwise agreed in writing or expressly
15 provided in the order or as provided by Subsection (b), the child
16 support order terminates on:

17 (1) the marriage of the child;

18 (2) the removal of the child's disabilities for
19 general purposes;

20 (3) the death of:

21 (A) the child; or

22 (B) a parent ordered to pay child support; [~~or~~]

23 (4) a finding by a court that the child:

24 (A) is 18 years of age or older; and

25 (B) has failed to comply with the enrollment or
26 attendance requirements described by Section 154.002(a); or

27 (5) if the child enlists in the armed forces of the

1 United States, the date on which the child begins active service as
2 defined by 10 U.S.C. Section 101.

3 (b) The change in law made by this Act to Subsection (a),
4 Section 154.006, Family Code, applies to an order for child support
5 regardless of whether the order was rendered before, on, or after
6 the effective date of this Act.

7 SECTION 10. Section 154.127, Family Code, is amended to
8 read as follows:

9 Sec. 154.127. PARTIAL TERMINATION OF SUPPORT
10 OBLIGATION. (a) A child support order for more than one child
11 shall provide that, on the termination of support for a child, the
12 level of support for the remaining child or children is in
13 accordance with the child support guidelines.

14 (b) A child support order is in compliance with the
15 requirement imposed by Subsection (a) if the order contains a
16 provision that specifies:

17 (1) the events, including a child reaching the age of
18 18 years or otherwise having the disabilities of minority removed,
19 that have the effect of terminating the obligor's obligation to pay
20 child support for that child; and

21 (2) the reduced total amount that the obligor is
22 required to pay each month after the occurrence of an event
23 described by Subdivision (1).

24 SECTION 11. (a) Section 154.131, Family Code, is amended
25 by adding Subsection (f) to read as follows:

26 (f) Notwithstanding any other provision of this subtitle,
27 the court retains jurisdiction to render an order for retroactive

1 child support in a suit if a petition requesting retroactive child
2 support is filed not later than the fourth anniversary of the date
3 of the child's 18th birthday.

4 (b) The change in law made by this Act by the enactment of
5 Subsection (f), Section 154.131, Family Code, applies only to a
6 petition in a suit affecting the parent-child relationship pending
7 in a trial court on or filed on or after the effective date of this
8 Act.

9 SECTION 12. Subsections (a) and (b), Section 154.186,
10 Family Code, are amended to read as follows:

11 (a) The obligee, obligor, or a child support agency of this
12 state or another state may send to the employer a copy of the order
13 requiring an employee to provide health insurance coverage for a
14 child or may include notice of the medical support order in an order
15 or writ of withholding sent to the employer in accordance with
16 Chapter 158.

17 (b) In an appropriate Title IV-D case, the Title IV-D agency
18 of this state or another state shall send to the employer the
19 national medical support notice required under Part D, Title IV of
20 the federal Social Security Act (42 U.S.C. Section 651 et seq.), as
21 amended. The notice may be used in any other suit in which an
22 obligor is ordered to provide health insurance coverage for a
23 child.

24 SECTION 13. Subsection (c), Section 155.301, Family Code,
25 is amended to read as follows:

26 (c) Except as otherwise provided by this subsection, if ~~if~~
27 a transfer of continuing, exclusive jurisdiction is sought under

1 this section, the procedures for determining and effecting a
2 transfer of proceedings provided by this chapter apply. If the
3 parties submit to the court an agreed order for transfer, the court
4 shall sign the order without the need for other pleadings.

5 SECTION 14. Section 156.105, Family Code, is amended to
6 read as follows:

7 Sec. 156.105. MODIFICATION OF ORDER BASED ON MILITARY
8 DEPLOYMENT. (a) In this section, "military deployment" means
9 military duty ordered for a period of more than six months during
10 which the person ordered to duty:

11 (1) is not provided the option of being accompanied by
12 the person's child; and

13 (2) is serving in a location where access to the
14 person's child is not reasonably possible.

15 (b) The military deployment [~~outside this country~~] of a
16 person who is a possessory conservator or a joint managing
17 conservator without the exclusive right to designate the primary
18 residence of the child is a material and substantial change of
19 circumstances sufficient to justify a modification of an existing
20 court order or portion of a decree that sets the terms and
21 conditions for the possession of or access to a child.

22 (c) [~~(b)~~] If the court determines that modification is in
23 the best interest of the child, the court may modify the order or
24 decree to provide in a manner consistent with Section 153.3161 for
25 [~~limited~~] possession of the child during the period of the military
26 deployment by a person designated by the deployed conservator.

27 SECTION 15. Subsection (b), Section 156.401, Family Code,

1 is amended to read as follows:

2 (b) A support order may be modified with regard to the
3 amount of support ordered only as to obligations accruing after the
4 earlier of:

5 (1) the date of service of citation; or

6 (2) an appearance in the suit to modify.

7 SECTION 16. Section 156.409, Family Code, is amended by
8 amending Subsection (a) and adding Subsections (a-1), (a-2), and
9 (a-3) to read as follows:

10 (a) The [~~If the sole managing conservator of a child or the~~
11 ~~joint managing conservator who has the exclusive right to determine~~
12 ~~the primary residence of the child has voluntarily relinquished the~~
13 ~~primary care and possession of the child to another person for at~~
14 ~~least six months, the] court shall, on the motion of a party or a
15 [~~the other~~] person having physical possession of the child, modify
16 an order providing for the support of the child to provide that the
17 [~~other~~] person having physical possession of the child for at least
18 six months shall have the right to receive and give receipt for
19 payments of support for the child and to hold or disburse money for
20 the benefit of the child if the sole managing conservator of the
21 child or the joint managing conservator who has the exclusive right
22 to determine the primary residence of the child has:~~

23 (1) voluntarily relinquished the primary care and
24 possession of the child;

25 (2) been incarcerated or sentenced to be incarcerated
26 for at least 90 days; or

27 (3) relinquished the primary care and possession of

1 the child in a proceeding under Title 3 or Chapter 262.

2 (a-1) If the court modifies a support order under this
3 section, the court shall order the obligor to pay the person or
4 entity having physical possession of the child any unpaid child
5 support that is not subject to offset or reimbursement under
6 Section 157.008 and that accrues after the date the sole or joint
7 managing conservator:

8 (1) relinquishes possession and control of the child,
9 whether voluntarily or in a proceeding under Title 3 or Chapter 262;
10 or

11 (2) is incarcerated.

12 (a-2) This section does not affect the ability of the court
13 to render a temporary order for the payment of child support that is
14 in the best interest of the child.

15 (a-3) An order under this section that modifies a support
16 order because of the incarceration of the sole or joint managing
17 conservator of a child must provide that on the conservator's
18 release from incarceration the conservator may file an affidavit
19 with the court stating that the conservator has been released from
20 incarceration, that there has not been a modification of the
21 conservatorship of the child during the incarceration, and that the
22 conservator has resumed physical possession of the child. A copy of
23 the affidavit shall be delivered to the obligor and any other party,
24 including the Title IV-D agency if appropriate. On receipt of the
25 affidavit, the court on its own motion shall order the obligor to
26 make support payments to the conservator.

27 SECTION 17. Subsection (a), Section 157.005, Family Code,

1 is amended to read as follows:

2 (a) The court retains jurisdiction to render a contempt
3 order for failure to comply with the child support order if the
4 motion for enforcement is filed not later than the second
5 anniversary of [~~sixth month after~~] the date:

6 (1) the child becomes an adult; or

7 (2) on which the child support obligation terminates
8 under the order or by operation of law.

9 SECTION 18. Subsection (a), Section 157.065, Family Code,
10 is amended to read as follows:

11 (a) If a party has been ordered under Chapter 105 to provide
12 the court and the state case registry with the party's current
13 mailing address, notice of a hearing on a motion for enforcement may
14 be served by mailing a copy of the notice to the respondent,
15 together with a copy of the motion, by first class mail to the last
16 mailing address of the respondent on file with the court and the
17 registry.

18 SECTION 19. Section 157.102, Family Code, is amended to
19 read as follows:

20 Sec. 157.102. CAPIAS OR WARRANT; DUTY OF LAW ENFORCEMENT
21 OFFICIALS. Law enforcement officials shall treat a [the] capias or
22 arrest warrant ordered under this chapter in the same manner as an
23 arrest warrant for a criminal offense and shall enter the capias or
24 warrant in the computer records for outstanding warrants maintained
25 by the local police, sheriff, and Department of Public Safety. The
26 capias or warrant shall be forwarded to and disseminated by the
27 Texas Crime Information Center and the National Crime Information

1 Center.

2 SECTION 20. Section 157.268, Family Code, is amended to
3 read as follows:

4 Sec. 157.268. APPLICATION OF CHILD SUPPORT PAYMENT. Child
5 support collected shall be applied in the following order of
6 priority:

7 (1) current child support;

8 (2) non-delinquent child support owed;

9 (3) interest on the principal amounts specified in
10 Subdivisions (4) and (5);

11 (4) the principal amount of child support that has not
12 been confirmed and reduced to money judgment;

13 (5) the principal amount of child support that has
14 been confirmed and reduced to money judgment; and

15 (6) the amount of any ordered attorney's fees or costs,
16 or Title IV-D service fees authorized under Section 231.103 for
17 which the obligor is responsible.

18 SECTION 21. Subsections (a) and (c), Section 157.105,
19 Family Code, are amended to read as follows:

20 (a) If the respondent is taken into custody and not released
21 on bond, the respondent shall be brought before the court that
22 issued the capias on or before the third [~~first~~] working day after
23 the arrest. The court shall determine whether the respondent's
24 appearance in court at a designated time and place can be assured by
25 a method other than by posting the bond or security previously
26 established.

27 (c) If the court is not satisfied that the respondent's

1 appearance in court can be assured and the respondent remains in
2 custody, a hearing on the alleged contempt shall be held as soon as
3 practicable, but not later than the seventh [~~fifth~~] day after the
4 date that the respondent was taken into custody, unless the
5 respondent and the respondent's attorney waive the accelerated
6 hearing.

7 SECTION 22. Section 157.212, Family Code, is amended to
8 read as follows:

9 Sec. 157.212. TERM OF COMMUNITY SUPERVISION. The initial
10 period of community supervision [~~period~~] may not exceed 10 years.
11 The court may continue the community supervision beyond 10 years
12 until the earlier of:

13 (1) the second anniversary of the date on which the
14 community supervision first exceeded 10 years; or

15 (2) the date on which all child support, including
16 arrearages and interest, has been paid.

17 SECTION 23. Subsections (a) and (b), Section 157.216,
18 Family Code, are amended to read as follows:

19 (a) The court shall hold a hearing without a jury not later
20 than [~~on or before~~] the third [~~first~~] working day after the date the
21 respondent is arrested under Section 157.215. If the court is
22 unavailable for a hearing on that date, the hearing shall be held
23 not later than the third [~~first~~] working day after the date the
24 court becomes available.

25 (b) The hearing under this section may not be held later
26 than the seventh [~~third~~] working day after the date the respondent
27 is arrested.

1 SECTION 24. Subsection (c), Section 157.263, Family Code,
2 is amended to read as follows:

3 (c) If the amount of arrearages confirmed by the court
4 reflects a credit to the obligor for support arrearages collected
5 from a federal tax refund under 42 U.S.C. Section 664, ~~[as amended,~~
6 and, subsequently, the amount of that credit is reduced because the
7 refund was adjusted because of an injured spouse claim by a jointly
8 filing spouse, the tax return was amended, the return was audited by
9 the Internal Revenue Service, or for another reason permitted by
10 law ~~[based on a joint return under which another person was entitled~~
11 ~~to a share of the refund under 42 U.S.C. Section 664, as amended],~~
12 the court shall render a new cumulative judgment to include as
13 arrearages an amount equal to the amount by which the credit was
14 reduced.

15 SECTION 25. Subsection (b), Section 157.264, Family Code,
16 is amended to read as follows:

17 (b) The court shall ~~[may]~~ render an order requiring~~[+~~
18 ~~[(1) that income be withheld from the disposable~~
19 ~~earnings of the obligor in an amount sufficient to discharge the~~
20 ~~judgment in not more than two years, or~~
21 ~~[(2) if the obligor is not subject to income~~
22 ~~withholding,~~] that the obligor make periodic payments on the
23 judgment, including by income withholding under Chapter 158 if the
24 obligor is subject to income withholding ~~[to the obligee in an~~
25 ~~amount sufficient to discharge the judgment within a reasonable~~
26 ~~time].~~

27 SECTION 26. Section 157.269, Family Code, is amended to

1 read as follows:

2 Sec. 157.269. RETENTION OF JURISDICTION. A court that
3 renders an order providing for the payment of child support
4 [~~arrears~~] retains continuing jurisdiction to enforce the order,
5 including by adjusting the amount of the periodic payments to be
6 made by the obligor or the amount to be withheld from the obligor's
7 disposable earnings, until all current support and medical support
8 and child support arrearages, including interest and any applicable
9 fees and costs, have been paid.

10 SECTION 27. Section 157.313, Family Code, is amended by
11 amending Subsections (a), (c), and (e) and adding Subsection (f) to
12 read as follows:

13 (a) Except as provided by Subsection (e), a child support
14 lien notice must contain:

15 (1) the name and address of the person to whom the
16 notice is being sent;

17 (2) the style, docket or cause number, and identity of
18 the tribunal of this or another state having continuing
19 jurisdiction of the child support action and, if the case is a Title
20 IV-D case, the case number;

21 (3) the full name, address, and, if known, the birth
22 date, driver's license number, social security number, and any
23 aliases of the obligor;

24 (4) the full name and, if known, social security
25 number of the obligee;

26 (5) the amount of the current or prospective child
27 support obligation, the frequency with which current or prospective

1 child support is ordered to be paid, and the amount of child support
2 arrearages owed by the obligor and the date of the signing of the
3 court order, administrative order, or writ that determined the
4 arrearages or the date and manner in which the arrearages were
5 determined;

6 (6) the rate of interest specified in the court order,
7 administrative order, or writ or, in the absence of a specified
8 interest rate, the rate provided for by law;

9 (7) the name and address of the person or agency
10 asserting the lien;

11 (8) the motor vehicle identification number as shown
12 on the obligor's title if the property is a motor vehicle;

13 (9) a statement that the lien attaches to all
14 nonexempt real and personal property of the obligor that is located
15 or recorded in the state, including any property specifically
16 identified in the notice and any property acquired after the date of
17 filing or delivery of the notice;

18 (10) a statement that any ordered child support not
19 timely paid in the future constitutes a final judgment for the
20 amount due and owing, including interest, and accrues up to an
21 amount that may not exceed the lien amount; and

22 (11) a statement that the obligor is being provided a
23 copy of the lien notice and that the obligor may dispute the
24 arrearage amount by filing suit under Section 157.323.

25 (c) Except as provided by Subsection (e), the ~~The~~ lien
26 notice must be verified.

27 (e) A notice of a lien for child support under this section

1 may be in the form authorized by federal law or regulation. The
2 federal form of lien notice does not require verification when used
3 by the Title IV-D agency.

4 (f) The requirement under Subsections (a)(3) and (4) to
5 provide a social security number, if known, does not apply to a lien
6 notice for a lien on real property.

7 SECTION 28. Subsection (a-1), Section 157.317, Family Code,
8 is amended to read as follows:

9 (a-1) A lien attaches to all property owned or acquired on
10 or after the date the lien notice or abstract of judgment is filed
11 with the county clerk of the county in which the property is
12 located, with the court clerk as to property or claims in
13 litigation, or, as to property of the obligor in the possession or
14 control of a third party, from the date the lien notice is delivered
15 to [filed with] that party.

16 SECTION 29. Subsection (a), Section 157.318, Family Code,
17 is amended to read as follows:

18 (a) A lien is effective until all current support and child
19 support arrearages, including interest, ~~and~~ any costs and
20 reasonable attorney's fees, and any Title IV-D service fees
21 authorized under Section 231.103 for which the obligor is
22 responsible, have been paid or the lien is otherwise released as
23 provided by this subchapter.

24 SECTION 30. Section 157.324, Family Code, is amended to
25 read as follows:

26 Sec. 157.324. LIABILITY FOR FAILURE TO COMPLY WITH ORDER OR
27 LIEN. A person who knowingly disposes of property subject to a

1 child support lien or ~~[7]~~ who, after a foreclosure hearing, fails to
2 surrender on demand nonexempt personal property as directed by a
3 court ~~[or administrative order]~~ under this subchapter ~~[7, or who~~
4 ~~fails to comply with a notice of levy under this subchapter]~~ is
5 liable to the claimant in an amount equal to the value of the
6 property disposed of or not surrendered, not to exceed the amount of
7 the child support arrearages for which the lien ~~[7, notice of levy,~~
8 or foreclosure judgment was issued.

9 SECTION 31. Section 157.327, Family Code, is amended by
10 amending Subsection (b) and adding Subsection (f) to read as
11 follows:

12 (b) The notice under this section must:

13 (1) identify the amount of child support arrearages
14 owing at the time the amount of arrearages was determined or, if the
15 amount is less, the amount of arrearages owing at the time the
16 notice is prepared and delivered to the financial institution; and

17 (2) direct the financial institution to pay to the
18 claimant, not earlier than the 15th day or later than the 21st day
19 after the date of delivery of the notice, an amount from the assets
20 of the obligor or from funds due to the obligor that are held or
21 controlled by the institution, not to exceed the amount of the child
22 support arrearages identified in the notice, unless:

23 (A) the institution is notified by the claimant
24 that the obligor has paid the arrearages or made arrangements
25 satisfactory to the claimant for the payment of the arrearages;

26 (B) the obligor or another person files a suit
27 under Section 157.323 requesting a hearing by the court; or

1 (C) if the claimant is the Title IV-D agency, the
2 obligor has requested an agency review under Section 157.328.

3 (f) A financial institution may deduct the fees and costs
4 identified in Subsection (c) from the obligor's assets before
5 paying the appropriate amount to the claimant.

6 SECTION 32. Section 157.330, Family Code, is amended to
7 read as follows:

8 Sec. 157.330. FAILURE TO COMPLY WITH NOTICE OF LEVY. (a) A
9 person who possesses or has a right to property that is the subject
10 of a notice of levy delivered to the person and who refuses to
11 surrender the property or right to property to the claimant on
12 demand is liable to the claimant in an amount equal to the value of
13 the property or right to property not surrendered but that does not
14 exceed the amount of the child support arrearages for which the
15 notice of levy has been filed.

16 (b) A claimant may recover costs and reasonable attorney's
17 fees incurred in an action under this section.

18 SECTION 33. Subchapter C, Chapter 158, Family Code, is
19 amended by adding Section 158.214 to read as follows:

20 Sec. 158.214. WITHHOLDING FROM SEVERANCE PAY. (a) In this
21 section, "severance pay" means income paid on termination of
22 employment in addition to the employee's usual earnings from the
23 employer at the time of termination.

24 (b) An employer receiving an order or writ of withholding
25 under this chapter shall withhold from any severance pay owed an
26 obligor an amount equal to the amount the employer would have
27 withheld under the order or writ if the severance pay had been paid

1 as the obligor's usual earnings as a current employee.

2 (c) The total amount that may be withheld under this section
3 is subject to the maximum amount allowed to be withheld under
4 Section 158.009.

5 SECTION 34. Subchapter C, Chapter 158, Family Code, is
6 amended by adding Section 158.215 to read as follows:

7 Sec. 158.215. WITHHOLDING FROM LUMP-SUM PAYMENTS. (a) In
8 this section, "lump-sum payment" means income in the form of a bonus
9 or commission or an amount paid in lieu of vacation or other leave
10 time. The term does not include an employee's usual earnings or an
11 amount paid as severance pay on termination of employment.

12 (b) This section applies only to an employer who receives an
13 administrative writ of withholding in a Title IV-D case that
14 requires that an obligor's income be withheld for child support
15 arrearages.

16 (c) An employer to whom this section applies may not make a
17 lump-sum payment to the obligor in the amount of \$500 or more
18 without first notifying the Title IV-D agency that issued the writ
19 to determine whether all or a portion of the payment should be
20 applied to the child support arrearages.

21 (d) After notifying the Title IV-D agency in compliance with
22 Subsection (c), the employer may not make the lump-sum payment
23 before the earlier of:

24 (1) the 10th day after the date on which the employer
25 notified the Title IV-D agency; or

26 (2) the date on which the employer receives
27 authorization from the Title IV-D agency to make the payment.

1 (e) If the employer receives a timely authorization from the
2 Title IV-D agency under Subsection (d)(2), the employer may make
3 the payment only in accordance with the terms of that
4 authorization.

5 SECTION 35. Subsection (a), Section 158.502, Family Code,
6 is amended to read as follows:

7 (a) An administrative writ of withholding under this
8 subchapter may be issued by the Title IV-D agency at any time until
9 all current support, including medical support, and child support
10 arrearages, and Title IV-D service fees authorized under Section
11 231.103 for which the obligor is responsible, have been paid. The
12 writ issued under this subsection may be based on an obligation in
13 more than one support order.

14 SECTION 36. Section 158.506, Family Code, is amended by
15 amending Subsection (c) and adding Subsection (d) to read as
16 follows:

17 (c) If a review under this section fails to resolve any
18 issue in dispute, the obligor [~~is entitled to the remedies provided~~
19 ~~by Section 158.317 for cases in which a notice of an application for~~
20 ~~judicial writ of withholding was not received. The obligor]~~ may
21 file a motion with the court to withdraw the administrative writ of
22 withholding and request a hearing with the court not later than the
23 30th day after receiving notice of the agency's determination.
24 Income withholding may not be interrupted pending a hearing by the
25 court.

26 (d) If an administrative writ of withholding issued under
27 this subchapter is based on an order of a tribunal of another state

1 that has not been registered under Chapter 159, the obligor may file
2 a motion with an appropriate court in accordance with Subsection
3 (c).

4 SECTION 37. Section 158.507, Family Code, is amended to
5 read as follows:

6 Sec. 158.507. ADMINISTRATIVE WRIT TERMINATING WITHHOLDING.
7 An administrative writ to terminate withholding may be issued and
8 delivered to an employer by the Title IV-D agency when all current
9 support, including medical support, and child support arrearages,
10 and Title IV-D service fees authorized under Section 231.103 for
11 which the obligor is responsible, have been paid.

12 SECTION 38. Subdivision (23), Section 159.102, Family Code,
13 is amended to read as follows:

14 (23) "Support order" means a judgment, decree, [~~or~~]
15 order, or directive, whether temporary, final, or subject to
16 modification, issued by a tribunal for the benefit of a child, a
17 spouse, or a former spouse that provides for monetary support,
18 health care, arrearages, or reimbursement and may include related
19 costs and fees, interest, income withholding, attorney's fees, and
20 other relief.

21 SECTION 39. Subdivision (6), Section 160.102, Family Code,
22 is amended to read as follows:

23 (6) "Donor" means an individual who provides
24 [~~produces~~] eggs or sperm to a licensed physician to be used for
25 assisted reproduction, regardless of whether the eggs or sperm are
26 provided [~~production is~~] for consideration. The term does not
27 include:

1 (A) a husband who provides sperm or a wife who
2 provides eggs to be used for assisted reproduction by the wife; [~~or~~]

3 (B) a woman who gives birth to a child by means of
4 assisted reproduction; or

5 (C) an unmarried man who, with the intent to be
6 the father of the resulting child, provides sperm to be used for
7 assisted reproduction by an unmarried woman, as provided by Section
8 160.7031.

9 SECTION 40. Subchapter H, Chapter 160, Family Code, is
10 amended by adding Section 160.7031 to read as follows:

11 Sec. 160.7031. UNMARRIED MAN'S PATERNITY OF CHILD OF
12 ASSISTED REPRODUCTION. (a) If an unmarried man, with the intent
13 to be the father of a resulting child, provides sperm to a licensed
14 physician and consents to the use of that sperm for assisted
15 reproduction by an unmarried woman, he is the father of a resulting
16 child.

17 (b) Consent by an unmarried man who intends to be the father
18 of a resulting child in accordance with this section must be in a
19 record signed by the man and the unmarried woman and kept by a
20 licensed physician.

21 SECTION 41. Subsection (a), Section 160.704, Family Code,
22 is amended to read as follows:

23 (a) Consent by a married woman to assisted reproduction must
24 be in a record signed by the woman and her husband and kept by a
25 licensed physician. This requirement does not apply to the
26 donation of eggs by a married woman for assisted reproduction by
27 another woman.

1 SECTION 42. Section 160.706, Family Code, is amended to
2 read as follows:

3 Sec. 160.706. EFFECT OF DISSOLUTION OF MARRIAGE. (a) If a
4 marriage is dissolved before the placement of eggs, sperm, or
5 embryos, the former spouse is not a parent of the resulting child
6 unless the former spouse consented in a record kept by a licensed
7 physician that if assisted reproduction were to occur after a
8 divorce the former spouse would be a parent of the child.

9 (b) The consent of a former spouse to assisted reproduction
10 may be withdrawn by that individual in a record kept by a licensed
11 physician at any time before the placement of eggs, sperm, or
12 embryos.

13 SECTION 43. Section 160.707, Family Code, is amended to
14 read as follows:

15 Sec. 160.707. PARENTAL STATUS OF DECEASED SPOUSE. If a
16 spouse dies before the placement of eggs, sperm, or embryos, the
17 deceased spouse is not a parent of the resulting child unless the
18 deceased spouse consented in a record kept by a licensed physician
19 that if assisted reproduction were to occur after death the
20 deceased spouse would be a parent of the child.

21 SECTION 44. Section 161.206, Family Code, is amended by
22 adding Subsection (d) to read as follows:

23 (d) An order rendered under this section must include a
24 finding that:

25 (1) a request for identification of a court of
26 continuing, exclusive jurisdiction has been made as required by
27 Section 155.101; and

1 (2) all parties entitled to notice, including the
2 Title IV-D agency, have been notified.

3 SECTION 45. Subsection (b), Section 231.006, Family Code,
4 is amended to read as follows:

5 (b) A child support obligor or business entity ineligible to
6 receive payments under Subsection (a) [~~or a child support obligor~~
7 ~~ineligible to receive payments under Subsection (a-1)] remains
8 ineligible until:~~

9 (1) all arrearages have been paid;

10 (2) the obligor is in compliance with a written
11 repayment agreement or court order as to any existing delinquency;
12 or

13 (3) the court of continuing jurisdiction over the
14 child support order has granted the obligor an exemption from
15 Subsection (a) as part of a court-supervised effort to improve
16 earnings and child support payments.

17 SECTION 46. The heading to Section 231.012, Family Code, is
18 amended to read as follows:

19 Sec. 231.012. CHILD SUPPORT [~~COUNTY ADVISORY~~] WORK GROUP.

20 SECTION 47. Subsections (a), (b), and (c), Section 231.012,
21 Family Code, are amended to read as follows:

22 (a) The director of the Title IV-D agency may convene [~~shall~~
23 ~~establish~~] a [~~county advisory~~] work group representing public and
24 private entities with an interest in child support enforcement in
25 this state to work with [~~assist~~] the director [~~Title IV-D agency~~] in
26 developing strategies to improve [~~and changing~~] child support
27 enforcement in this state [~~programs that affect counties. The work~~

1 ~~group shall consist of at least one of each of the following:~~

- 2 ~~[(1) county judge,~~
- 3 ~~[(2) county commissioner,~~
- 4 ~~[(3) district clerk,~~
- 5 ~~[(4) domestic relations officer,~~
- 6 ~~[(5) associate judge for Title IV-D cases, and~~
- 7 ~~[(6) district court judge].~~

8 (b) The director of the Title IV-D agency shall appoint the
9 members of the work group after consulting with appropriate public
10 and private entities [~~the relevant professional or trade~~
11 ~~associations of the professions that are represented on the work~~
12 ~~group. The director of the Title IV-D agency shall determine the~~
13 ~~number of members of the work group and shall designate the~~
14 ~~presiding officer of the group].~~

15 (c) The work group shall meet as convened by the director of
16 the Title IV-D agency and consult with [+

17 ~~[(1) advise]~~ the director on matters relating to [~~of~~
18 ~~the Title IV-D agency of the impact on counties that a proposed]~~
19 child support enforcement in this state, including the delivery of
20 Title IV-D services [~~program or a change in a program may have,~~

21 ~~[(2) establish a state-county child support~~
22 ~~improvement plan,~~

23 ~~[(3) advise the Title IV-D agency on the operation of~~
24 ~~the state disbursement unit,~~

25 ~~[(4) plan for monetary incentives for county~~
26 ~~partnership programs,~~

27 ~~[(5) expand the number of agreements with counties for~~

1 ~~enforcement services, and~~

2 ~~[(6) work with relevant statewide associations on a~~
3 ~~model partnership agreement].~~

4 SECTION 48. Section 231.103, Family Code, is amended by
5 amending Subsection (f) and adding Subsection (g-1) to read as
6 follows:

7 (f) The state disbursement unit established and operated by
8 the Title IV-D agency under Chapter 234 may collect a monthly
9 service fee of \$3 in each case in which ~~[deducted from]~~ support
10 payments are processed through the unit ~~[in a case for which the~~
11 ~~Title IV-D agency is not providing services].~~

12 (g-1) A fee authorized under this section for providing
13 child support enforcement services is part of the child support
14 obligation if the obligor is responsible for the fee, and may be
15 enforced against the obligor through any method available for the
16 enforcement of child support, including contempt.

17 SECTION 49. Section 231.202, Family Code, is amended to
18 read as follows:

19 Sec. 231.202. AUTHORIZED COSTS AND FEES IN TITLE IV-D
20 CASES. In a Title IV-D case filed under this title, including a
21 case filed under Chapter 159, the Title IV-D agency shall pay:

22 (1) filing fees and fees for issuance and service of
23 process as provided by Chapter 110 of this code and by Sections
24 51.317, 51.318(b)(2), and 51.319(2), Government Code;

25 (2) fees for transfer as provided by Chapter 110;

26 (3) fees for the issuance and delivery of orders and
27 writs of income withholding in the amounts provided by Chapter 110;

1 (4) the fee that sheriffs and constables are
2 authorized to charge for serving process under Section 118.131,
3 Local Government Code, for each item of process to each individual
4 on whom service is required, including service by certified or
5 registered mail, to be paid to a sheriff, constable, or clerk
6 whenever service of process is required; ~~and~~

7 (5) the fee for filing an administrative writ of
8 withholding under Section 158.503(d); and

9 (6) the fee for issuance of a subpoena as provided by
10 Section 51.318(b)(1), Government Code.

11 SECTION 50. Subdivisions (1), (2), and (3), Section
12 232.001, Family Code, are amended to read as follows:

13 (1) "License" means a license, certificate,
14 registration, permit, or other authorization that:

15 (A) is issued by a licensing authority;

16 (B) is subject before expiration to renewal,
17 suspension, revocation, forfeiture, or termination by a ~~the~~
18 ~~issuing~~ licensing authority; and

19 (C) a person must obtain to:

20 (i) practice or engage in a particular
21 business, occupation, or profession;

22 (ii) operate a motor vehicle on a public
23 highway in this state; or

24 (iii) engage in any other regulated
25 activity, including hunting, fishing, or other recreational
26 activity for which a license or permit is required.

27 (2) "Licensing authority" means a department,

1 commission, board, office, or other agency of the state or a
2 political subdivision of the state that issues or renews a license
3 or that otherwise has authority to suspend or refuse to renew a
4 license.

5 (3) "Order suspending license" means an order issued
6 by the Title IV-D agency or a court directing a licensing authority
7 to suspend or refuse to renew a license.

8 SECTION 51. Section 232.002, Family Code, is amended to
9 read as follows:

10 Sec. 232.002. LICENSING AUTHORITIES SUBJECT TO CHAPTER.
11 Unless otherwise restricted or exempted, all [~~The following are~~]
12 licensing authorities are subject to this chapter [~~+~~

- 13 [~~(1) Department of Agriculture,~~
- 14 [~~(2) Texas Alcoholic Beverage Commission,~~
- 15 [~~(3) Texas Appraiser Licensing and Certification~~
16 ~~Board,~~
- 17 [~~(4) Texas Board of Architectural Examiners,~~
- 18 [~~(5) Texas Board of Chiropractic Examiners,~~
- 19 [~~(6) Comptroller of Public Accounts,~~
- 20 [~~(7) Court Reporters Certification Board,~~
- 21 [~~(8) State Board of Dental Examiners,~~
- 22 [~~(9) Texas State Board of Examiners of Dietitians,~~
- 23 [~~(10) Texas Funeral Service Commission,~~
- 24 [~~(11) Department of State Health Services,~~
- 25 [~~(12) Department of Aging and Disability Services,~~
- 26 [~~(13) Texas Board of Professional Land Surveying,~~
- 27 [~~(14) Texas Department of Licensing and Regulation,~~

- 1 ~~[(15) Texas State Board of Examiners of Marriage and~~
- 2 ~~Family Therapists,~~
- 3 ~~[(16) Texas State Board of Medical Examiners,~~
- 4 ~~[(17) Midwifery Board,~~
- 5 ~~[(18) Texas Commission on Environmental Quality,~~
- 6 ~~[(19) Board of Nurse Examiners,~~
- 7 ~~[(20) Texas Board of Occupational Therapy Examiners,~~
- 8 ~~[(21) Texas Optometry Board,~~
- 9 ~~[(22) Parks and Wildlife Department,~~
- 10 ~~[(23) Texas State Board of Examiners of Perfusionists,~~
- 11 ~~[(24) Texas State Board of Pharmacy,~~
- 12 ~~[(25) Texas Board of Physical Therapy Examiners,~~
- 13 ~~[(26) Texas State Board of Plumbing Examiners,~~
- 14 ~~[(27) Texas State Board of Podiatric Medical~~
- 15 ~~Examiners,~~
- 16 ~~[(28) Polygraph Examiners Board,~~
- 17 ~~[(29) Texas Private Security Board,~~
- 18 ~~[(30) Texas State Board of Examiners of Professional~~
- 19 ~~Counselors,~~
- 20 ~~[(31) Texas Board of Professional Engineers,~~
- 21 ~~[(32) Department of Family and Protective Services,~~
- 22 ~~[(33) Texas State Board of Examiners of Psychologists,~~
- 23 ~~[(34) Texas State Board of Public Accountancy,~~
- 24 ~~[(35) Department of Public Safety of the State of~~
- 25 ~~Texas,~~
- 26 ~~[(36) Public Utility Commission of Texas,~~
- 27 ~~[(37) Railroad Commission of Texas,~~

- 1 ~~[(38) Texas Real Estate Commission,~~
- 2 ~~[(39) State Bar of Texas,~~
- 3 ~~[(40) Texas State Board of Social Worker Examiners,~~
- 4 ~~[(41) State Board of Examiners for Speech-Language~~
- 5 ~~Pathology and Audiology,~~
- 6 ~~[(42) Texas Structural Pest Control Board,~~
- 7 ~~[(43) Board of Tax Professional Examiners,~~
- 8 ~~[(44) Secretary of State,~~
- 9 ~~[(45) Supreme Court of Texas,~~
- 10 ~~[(46) Texas Transportation Commission,~~
- 11 ~~[(47) State Board of Veterinary Medical Examiners,~~
- 12 ~~[(48) Texas Ethics Commission,~~
- 13 ~~[(49) Advisory Board of Athletic Trainers,~~
- 14 ~~[(50) State Committee of Examiners in the Fitting and~~
- 15 ~~Dispensing of Hearing Instruments,~~
- 16 ~~[(51) Texas Board of Licensure for Professional~~
- 17 ~~Medical Physicists,~~
- 18 ~~[(52) Texas Department of Insurance,~~
- 19 ~~[(53) Texas Board of Orthotics and Prosthetics,~~
- 20 ~~[(54) savings and loan commissioner,~~
- 21 ~~[(55) Texas Juvenile Probation Commission, and~~
- 22 ~~[(56) Texas Lottery Commission under Chapter 466,~~
- 23 ~~Government Code].~~

24 SECTION 52. Chapter 232, Family Code, is amended by adding
25 Section 232.0022 to read as follows:

26 Sec. 232.0022. SUSPENSION OR NONRENEWAL OF MOTOR VEHICLE
27 REGISTRATION. (a) The Texas Department of Transportation is the

1 appropriate licensing authority for suspension or nonrenewal of a
2 motor vehicle registration under this chapter.

3 (b) The suspension or nonrenewal of a motor vehicle
4 registration under this chapter does not:

5 (1) encumber the title to the motor vehicle or
6 otherwise affect the transfer of the title to the vehicle; or

7 (2) affect the sale, purchase, or registration of the
8 motor vehicle by a person who holds a general distinguishing number
9 issued under Chapter 503, Transportation Code.

10 SECTION 53. Subsection (a), Section 232.004, Family Code,
11 is amended to read as follows:

12 (a) A child support agency or obligee may file a petition to
13 suspend, as provided by this chapter, a license of an obligor who
14 has an arrearage equal to or greater than the total support due for
15 three months [~~90 days~~] under a support order.

16 SECTION 54. Subsections (b) and (c), Section 232.006,
17 Family Code, are amended to read as follows:

18 (b) Notice under this section may be served:

19 (1) if the party has been ordered under Chapter 105 to
20 provide the court and registry with the party's current mailing
21 address, by mailing a copy of the notice to the respondent, together
22 with a copy of the petition, by first class mail to the last mailing
23 address of the respondent on file with the court and the state case
24 registry; or

25 (2) as in civil cases generally.

26 (c) The notice must contain the following prominently
27 displayed statement in boldfaced type, capital letters, or

1 underlined:

2 "AN ACTION TO SUSPEND ONE OR MORE LICENSES ISSUED TO YOU HAS
3 BEEN FILED AS PROVIDED BY CHAPTER 232, TEXAS FAMILY CODE. YOU MAY
4 EMPLOY AN ATTORNEY TO REPRESENT YOU IN THIS ACTION. IF YOU OR YOUR
5 ATTORNEY DO NOT REQUEST A HEARING BEFORE THE 21ST DAY AFTER THE DATE
6 OF SERVICE OF THIS NOTICE, AN ORDER SUSPENDING YOUR ~~[OF]~~ LICENSE
7 ~~[SUSPENSION]~~ MAY BE RENDERED."

8 SECTION 55. Chapter 232, Family Code, is amended by adding
9 Section 232.0135 to read as follows:

10 Sec. 232.0135. DENIAL OF LICENSE RENEWAL. (a) A child
11 support agency, as defined by Section 101.004, may provide notice
12 to a licensing authority concerning an obligor who has failed to pay
13 child support for six months or more that requests the authority to
14 refuse to accept an application for renewal of the license of the
15 obligor.

16 (b) A licensing authority that receives the information
17 described by Subsection (a) shall refuse to accept an application
18 for renewal of the license of the obligor until the authority is
19 notified by the child support agency that the obligor has:

20 (1) paid all child support arrearages;
21 (2) established with the agency a satisfactory
22 repayment schedule or is in compliance with a court order for
23 payment of the arrearages;

24 (3) been granted an exemption from this subsection as
25 part of a court-supervised plan to improve the obligor's earnings
26 and child support payments; or

27 (4) successfully contested the denial of renewal of

1 license under Subsection (d).

2 (c) On providing a licensing authority with the notice
3 described by Subsection (a), the child support agency shall send a
4 copy to the obligor by first class mail and inform the obligor of
5 the steps the obligor must take to permit the authority to accept
6 the obligor's application for license renewal.

7 (d) An obligor receiving notice under Subsection (c) may
8 request a review by the child support agency to resolve any issue in
9 dispute regarding the identity of the obligor or the existence or
10 amount of child support arrearages. The agency shall promptly
11 provide an opportunity for a review, either by telephone or in
12 person, as appropriate to the circumstances. After the review, if
13 appropriate, the agency may notify the licensing authority that it
14 may accept the obligor's application for renewal of license. If the
15 agency and the obligor fail to resolve any issue in dispute, the
16 obligor, not later than the 30th day after the date of receiving
17 notice of the agency's determination from the review, may file a
18 motion with the court to direct the agency to withdraw the notice
19 under Subsection (a) and request a hearing on the motion. The
20 obligor's application for license renewal may not be accepted by
21 the licensing authority until the court rules on the motion. If,
22 after a review by the agency or a hearing by the court, the agency
23 withdraws the notice under Subsection (a), the agency shall
24 reimburse the obligor the amount of any fee charged the obligor
25 under Section 232.014.

26 (e) If an obligor enters into a repayment agreement with the
27 child support agency under this section, the agency may incorporate

1 the agreement in an order to be filed with and confirmed by the
2 court in the manner provided for agreed orders under Chapter 233.

3 (f) In this section, "licensing authority" does not include
4 the State Securities Board.

5 SECTION 56. Section 232.014, Family Code, is amended to
6 read as follows:

7 Sec. 232.014. FEE BY LICENSING AUTHORITY. (a) A licensing
8 authority may charge a fee to an individual who is the subject of an
9 order suspending license or of an action of a child support agency
10 under Section 232.0135 to deny renewal of license in an amount
11 sufficient to recover the administrative costs incurred by the
12 authority under this chapter.

13 (b) A fee collected by the Texas Department of
14 Transportation or the Department of Public Safety shall be
15 deposited to the credit of the state highway fund.

16 SECTION 57. Section 233.019, Family Code, is amended by
17 adding Subsection (d) to read as follows:

18 (d) A child support order issued by a tribunal of another
19 state and filed with an agreed review order as an exhibit to the
20 agreed review order shall be treated as a confirmed order without
21 the necessity of registration under Subchapter G, Chapter 159.

22 SECTION 58. Subsection (c), Section 234.001, Family Code,
23 is amended to read as follows:

24 (c) The state disbursement unit shall:

25 (1) receive, maintain, and furnish records of child
26 support payments in Title IV-D cases and other cases as authorized
27 by law;

1 (2) forward child support payments as authorized by
2 law;

3 (3) maintain records of child support payments
4 [~~payment records~~] made through the state disbursement unit; and

5 (4) make available to a local registry each day in a
6 manner determined by the Title IV-D agency [~~with the assistance of~~
7 ~~the work group established under Section 234.003~~] the following
8 information:

9 (A) the cause number of the suit under which
10 withholding is required;

11 (B) the payor's name and social security number;

12 (C) the payee's name and, if available, social
13 security number;

14 (D) the date the disbursement unit received the
15 payment;

16 (E) the amount of the payment; and

17 (F) the instrument identification information.

18 SECTION 59. Section 234.006, Family Code, is amended to
19 read as follows:

20 Sec. 234.006. RULEMAKING [~~EFFECTIVE DATE AND PROCEDURES~~].
21 The Title IV-D agency [~~, in cooperation with the work group~~
22 ~~established under Section 234.003,~~] may adopt rules in compliance
23 with federal law for the operation of the state case registry and
24 the state disbursement unit.

25 SECTION 60. Subsection (a), Section 234.008, Family Code,
26 is amended to read as follows:

27 (a) Not [~~Except as provided by Subsection (c) or (d), not~~]

1 later than the second business day after the date the state
2 disbursement unit receives a child support payment, the state
3 disbursement unit shall distribute the payment to the Title IV-D
4 agency or the obligee.

5 SECTION 61. Subchapter A, Chapter 234, Family Code, is
6 amended by adding Section 234.012 to read as follows:

7 Sec. 234.012. RELEASE OF INFORMATION FROM STATE CASE
8 REGISTRY. Unless prohibited by a court in accordance with Section
9 105.006(c), the state case registry shall, on request and to the
10 extent permitted by federal law, provide the information required
11 under Sections 105.006 and 105.008 in any case included in the
12 registry under Section 234.001(b) to:

- 13 (1) any party to the proceeding;
- 14 (2) an amicus attorney;
- 15 (3) an attorney ad litem;
- 16 (4) a friend of the court;
- 17 (5) a guardian ad litem;
- 18 (6) a domestic relations office;
- 19 (7) a prosecuting attorney or juvenile court acting in
20 a proceeding under Title 3; or
- 21 (8) a governmental entity or court acting in a
22 proceeding under Chapter 262.

23 SECTION 62. Subchapter B, Chapter 234, Family Code, is
24 amended by adding Section 234.105 to read as follows:

25 Sec. 234.105. CIVIL PENALTY. (a) In addition to any other
26 remedy provided by law, an employer who knowingly violates a
27 procedure adopted under Section 234.104 for reporting employee

1 information may be liable for a civil penalty as permitted by
2 Section 453A(d) of the federal Social Security Act (42 U.S.C.
3 Section 653a).

4 (b) The amount of the civil penalty may not exceed:

5 (1) \$25 for each occurrence in which an employer fails
6 to report an employee; or

7 (2) \$500 for each occurrence in which the conduct
8 described by Subdivision (1) is the result of a conspiracy between
9 the employer and an employee to not supply a required report or to
10 submit a false or incomplete report.

11 (c) The attorney general may sue to collect the civil
12 penalty. A penalty collected under this section shall be deposited
13 in a special fund in the state treasury.

14 SECTION 63. Subsections (a) and (d), Section 207.093, Labor
15 Code, are amended to read as follows:

16 (a) The commission shall withhold from the benefits payable
17 to an individual that owes a child support obligation an amount
18 equal to:

19 (1) any amount required to be withheld under legal
20 process properly served on the commission;

21 (2) if Subdivision (1) does not apply, the amount
22 determined under an agreement submitted to the commission under
23 Section 454(19)(B)(i) [~~454(20)(B)(i)~~] of the Social Security Act
24 (42 U.S.C. Section 654) by the state or local child support
25 enforcement agency; or

26 (3) if neither Subdivision (1) or (2) applies, the
27 amount the individual specifies to the commission to be withheld.

1 (d) In this section, "legal process" has the meaning
2 assigned by Section 459(i)(5) [~~462(e)~~] of the Social Security Act
3 (42 U.S.C. Section 659 [~~662~~]).

4 SECTION 64. Subdivision (9), Section 501.002,
5 Transportation Code, is amended to read as follows:

6 (9) "Lien" means:

7 (A) a lien provided for by the constitution or
8 statute in a motor vehicle; [~~or~~]

9 (B) a security interest, as defined by Section
10 1.201, Business & Commerce Code, in a motor vehicle, other than an
11 absolute title, created by any written security agreement, as
12 defined by Section 9.102, Business & Commerce Code, including a
13 lease, conditional sales contract, deed of trust, chattel mortgage,
14 trust receipt, or reservation of title; or

15 (C) a child support lien under Chapter 157,
16 Family Code.

17 SECTION 65. The following provisions of the Family Code are
18 repealed:

19 (1) Subsection (a-1), Section 231.006;

20 (2) Section 231.011;

21 (3) Subsection (d), Section 231.103;

22 (4) Section 231.310;

23 (5) Subsections (c), (d), and (e), Section 234.008;

24 and

25 (6) Chapter 235.

26 SECTION 66. (a) The change in law made by this Act relating
27 to a court order establishing paternity or the obligation to pay

1 child support applies only to a suit affecting the parent-child
2 relationship filed on or after the effective date of this Act. A
3 suit affecting the parent-child relationship filed before the
4 effective date of this Act is governed by the law in effect on the
5 date the suit was filed, and the former law is continued in effect
6 for that purpose.

7 (b) The change in law made by this Act relating to the
8 modification or enforcement of a child support order rendered
9 before the effective date of this Act applies only to a proceeding
10 for modification or enforcement that is commenced on or after the
11 effective date of this Act. A proceeding for modification or
12 enforcement that is commenced before the effective date of this Act
13 is governed by the law in effect on the date the proceeding was
14 commenced, and the former law is continued in effect for that
15 purpose.

16 (c) The change in law made by this Act by the enactment of
17 Section 234.105, Family Code, applies only to a violation that
18 occurs on or after the effective date of this Act. A violation that
19 occurs before that date is governed by the law in effect on the date
20 the violation occurred, and the former law is continued in effect
21 for that purpose.

22 SECTION 67. (a) Subsection (f), Section 157.327, Family
23 Code, as added by this Act, applies only to a financial institution
24 that receives a notice of levy under that section on or after the
25 effective date of this Act. A financial institution that receives a
26 notice of levy under that section before the effective date of this
27 Act is governed by the law in effect on the date the notice of levy

1 is received, and the former law is continued in effect for that
2 purpose.

3 (b) The changes in law made by this Act to Section 158.506,
4 Family Code, apply only to an administrative writ of withholding
5 issued on or after the effective date of this Act. An
6 administrative writ of withholding issued before the effective date
7 of this Act is governed by the law in effect at the time the
8 administrative writ is issued, and the former law is continued in
9 effect for that purpose.

10 (c) The changes in law made by this Act to Section 231.103,
11 Family Code, apply only to fees that are incurred on or after the
12 date that the rules adopted in accordance with that section take
13 effect.

14 SECTION 68. Section 153.3161, Family Code, as amended by
15 this Act, applies only to a suit affecting the parent-child
16 relationship pending in a trial court on or filed on or after the
17 effective date of this Act.

18 SECTION 69. Section 156.105, Family Code, as amended by
19 this Act, applies only to an action to modify an order in a suit
20 affecting the parent-child relationship pending in a trial court on
21 or filed on or after the effective date of this Act.

22 SECTION 70. The change in law made by this Act to Chapter
23 160, Family Code, applies to a motion or other request for relief
24 made in a parentage or paternity proceeding that is commenced on or
25 after the effective date of this Act. A motion or other request for
26 relief made in a parentage or paternity proceeding commenced before
27 the effective date of this Act is governed by the law in effect at

1 the time the proceeding was commenced, and the former law is
2 continued in effect for that purpose.

3 SECTION 71. In the event another Act of the 80th
4 Legislature, Regular Session, 2007, includes a provision adopting
5 Section 153.015, Family Code, relating to electronic
6 communications between a parent and a child, and that provision is
7 not identical to Section 153.015, Family Code, as provided in this
8 Act, the provision in this Act shall prevail and any such provision
9 in any other Act that is not identical to the provision in this Act
10 shall not become effective.

11 SECTION 72. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 228 passed the Senate on March 14, 2007, by the following vote: Yeas 30, Nays 0; May 25, 2007, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 26, 2007, House granted request of the Senate; May 27, 2007, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 228 passed the House, with amendments, on May 23, 2007, by the following vote: Yeas 143, Nays 0, one present not voting; May 26, 2007, House granted request of the Senate for appointment of Conference Committee; May 27, 2007, House adopted Conference Committee Report by the following vote: Yeas 143, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor